

### Remarks

This communication is considered fully responsive to the non-final Office Action mailed October 31, 2005. Claims 1-29 were examined. Claims 1-29 stand rejected. Claims 1, 12, and 21 are amended. Claim 16 are currently canceled. Claim 30 was previously canceled. No new claims are added. Reexamination and reconsideration of claims 1-15 and 17-29 are respectfully requested.

### Claim Rejections - 35 U.S.C. 102(e)

The Office Action rejected claims 1-4, 6-18, 20, 21, and 23-29 under 35 U.S.C. 102(e) as being unpatentable over U.S. Patent Publication No. 2001/0002365A1 to Minakuchi, et al. (hereinafter referred to as "Minakuchi"). Applicant respectfully traverses this rejection.

Minakuchi discloses "a data communication device for data communication through radio among a plurality of devices" (Abstract), e.g., for virtual pet data (pages 10-13) and electronic lottery systems (pages 13-16). Applicants invention recites managing memory resources, as explained in more detail below with reference to the claims.

Independent claim 1 is amended to recite "a transceiver for singly transmitting copies of said packets . . . to gradually erase said digital data stored on the electronic device to manage memory resources for the electronic device and automatically make room for more digital data to be stored on the electronic device without the user having to manually offload the digital data" (emphasis added). Support for this amendment is found in the specification as

originally filed, e.g., on page 7, lines 21-25. Minakuchi fails to disclose at least these recitations.

The Office Action relies on elements 403 and 404 in Figure 4 and on elements 901-909 in Figure 12 of Minakuchi as disclosing these recitations. Figure 4 shows a transmission unit 403 and a reception unit 404 and S909 in Figure 12 says "delete sent data." However, there is no disclosure that the transmission unit 403 and reception unit 404 "gradually erase said digital data stored on the electronic device to manage memory resources for the electronic device and automatically make room for more digital data to be stored on the electronic device without the user having to manually offload the digital data."

For at least the foregoing reasons claim 1 is believed to be allowable over the cited references and Applicant respectfully requests withdrawal of the rejection of claim 1.

Claims 2-4 and 6-11 depend from claim 1, which is believed to be allowable. Therefore, claims 2-4 and 6-11 are also believed to be allowable for at least the same reasons as claim 1. Withdrawal of the rejection of claims 2-4 and 6-11 is respectfully requested.

In addition, claim 3 recites "an interactive memory controller wherein a user selects ones of said digital data . . . for deletion" (emphasis added). The Office Action relies on paragraph [0202] and [0167] as disclosing these recitations. However, paragraph [0202] discloses a "flag to lock the stored data is rendered to a set state in order to prevent the pet data . . . from being transmitted to another data communication terminal," and paragraph [0167] discloses "control unit 402 determines whether data transmission from the data

communication terminal is possible or not." Neither of these citations disclose "an interactive memory controller wherein a user selects ones of said digital data . . . for deletion." Therefore, claim 3 is believed to be allowable for at least these reasons.

In addition, claim 7 recites "said transceiver sends multiple copies of each transmitted packet." The Office Action relies on paragraph [0067]-[0068] and Figure 12 as disclosing these recitations. However, paragraphs [0067]-[0068] disclose a "range where communication is allowed" and communications terminals 105, 106, 107, 108 and 109." There is no teaching or suggestion that "said transceiver sends multiple copies of each transmitted packet." Nor is this shown in Figure 12. Therefore, claim 7 is believed to be allowable for at least these reasons.

Independent claim 12 positively recites "transmitting additional copies of said single packet to other of said at least one neighboring electronic device as a backup." Minakuchi fails to disclose at least these recitations.

The Office Action relies on paragraphs [0067]-[0068] and Figure 12 in Minakuchi as disclosing these recitations. Paragraph [0067]-[0068] disclose a "range where communication is allowed" and communications terminals 105, 106, 107, 108 and 109," but there is no teaching or suggestion of "transmitting additional copies of said single packet to other of said at least one neighboring electronic device as a backup." For at least the foregoing reasons claim 12 is believed to be allowable over the cited reference and Applicant respectfully requests withdrawal of the rejection of claim 12.

In addition, claims 13-15, 17-18 and 20 depend from claim 12, which is believed to be allowable. Therefore, claims 13-15, 17-18 and 20 are also believed to be allowable for at least the same reasons as claim 12. Withdrawal of the rejection of claims 13-15, 17-18 and 20 is respectfully requested.

In addition, claim 15 also recites "broadcasting a hail . . . ." Minakuchi fails to disclose at least these recitations. The Office Action relies on paragraphs [0072]-[0073] and [0135] as disclosing these recitations. However, these paragraphs disclose the "data communication terminal 202 is a portable telephone, PHS, PDS or the like." There is no disclosure of broadcasting a hail. Therefore, claim 15 is believed to be allowable for at least these reasons.

Claim 16 is canceled and therefore the rejection is moot.

Independent claim 21 is amended to recite "means for singly transmitting copies of said packets to different ones of said surrounding transport devices" and "means for forwarding said singly transmitted copies from said different ones of said surrounding transport devices to a collection point" and "means at said collection point for reassembling said forwarded copies into a copy of said original data" (emphasis added). Minakuchi fails to disclose at least these recitations.

The Office Action relies on Figures 1, 10, 12, 21, and 22, and on paragraphs [0059], and [0225]-[0227] as disclosing these recitations. Paragraph [0059] discloses a "data communication device is connected to a network 104 such as the Internet." Paragraphs [0225]-[0227] disclose a "control unit 402 transmits data . . . with respect to the household appliance capable of receiving virtual pet data [and] when transmission is completed, the pet data is erased

from the main storage unit of the data communication terminal.” However, there is no disclosure of the claim recitations. Nor do any of the cited Figures show this.

Claim 21 also recites “means for hailing surrounding transport devices” and “means for establishing communication channels with only ones of said surrounding transport devices responding to said hail” (emphasis added). At least these recitations are not disclosed by Minakuchi.

The Office Action cites to paragraph [0067]-[0068] disclose a “range where communication is allowed” and communications terminals 105, 106, 107, 108 and 109”. However, there is no teaching or suggestion of any “means for hailing surrounding transport devices” or “any means for establishing communication channels with only ones of said surrounding transport devices responding to said hail.”

For at least these reasons claim 21 is believed to be allowable over the cited reference and Applicant respectfully requests withdrawal of the rejection of claim 21.

Claims 23-24 depend from claim 21, which is believed to be allowable. Therefore, claims 23-24 are also believed to be allowable for at least the same reasons as claim 21. Withdrawal of the rejection of claims 23-24 is respectfully requested.

Claims 25-27 depend from claim 1, and are therefore believed to be allowable for at least the same reasons as discussed above for claim 1. Claims 28 and 29 depend from claim 12, and are therefore believed to be allowable for

at least the same reasons as discussed above for claim 12. Withdrawal of the rejection of claims 23-24 is respectfully requested.

In addition, claim 27 also recites "connecting with another remote transport device before the user of said electronic device leaves the communications range" (emphasis added). The Office Action relies on Figures 11-12 and paragraphs [0165]-[0168], [0172] and [0067] as disclosing these recitations. With reference to Figure 11, paragraphs [0165]-[0168] disclose "the process for the data communication terminal to switch between a transmission mode and a reception mode" and "determines whether data transmission from the data communication terminal is possible or not." Paragraph [0172] is an introduction to Figure 12, which does not show the claim recitations. And paragraph [0067] describes "a range 112 represented by an ellipse is the range where communication is allowed." However, none of these citations teach or suggest connecting with another remote transport device before the user of said electronic device leaves the communications range." Therefore, claim 27 is believed to be allowable for at least these reasons.

#### **Claim Rejections - 35 U.S.C. 103(a)**

The Office Action rejected claims 5, 19, and 22 under 35 U.S.C. 103(a) as being unpatentable over Minakuchi in view of U.S. Patent No. 6,967,675 to Ito, et al. (hereinafter referred to as "Ito"). Applicant respectfully traverses this rejection.

Claim 5 depends from claim 1, and is therefore believed to be allowable for at least the same reasons as discussed above for claim 1. Claim 19 depends from claim 12, and is therefore believed to be allowable for at least the same reasons as discussed above for claim 12. Claim 22 depends from claim 21, and is therefore believed to be allowable for at least the same reasons as discussed above for claim 21. Withdrawal of the rejection of claims 5, 19, and 21 is respectfully requested.

### Conclusion

The Applicant respectfully requests that a timely Notice of Allowance be issued in this matter.

Respectfully Submitted,

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